

1 THE HONORABLE JOHN C. COUGHENOUR  
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67 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 RAGHAVENDRAN SHANKAR,

11 Plaintiff,

12 v.

13 MICROSOFT CORPORATION,

14 Defendant.

CASE NO. C24-0308-JCC

ORDER

15 This matter comes before the Court on Plaintiff's motion to amend judgment (Dkt. No.  
16 76).<sup>1</sup> Having considered Plaintiff's motion and the relevant record, the Court hereby DENIES  
17 the motion for the reasons explained herein.18 **I. DISCUSSION**19 **A. Motion to Amend Judgment (Dkt. No. 76)**20 Rule 59(e) allows parties to file a motion to amend a judgment. Fed. R. Civ. P 59(e). Rule  
21 60(b) then allows the Court to relieve a party from a final judgment for "any . . . reason that  
22 justifies relief." Fed. R. Civ. P. 60(b). Reconsideration of a final judgment is appropriate under  
23 Rule 60(b) if the district court "(1) is presented with newly discovered evidence, (2) committed  
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26 <sup>1</sup> Consistent with the Court's prior order (Dkt. No. 68), the Court will only consider Plaintiff's  
first-filed motion to amend judgment (Dkt. No. 76). It disregards the later-filed motions (Dkt.  
Nos. 78, 79, 81).

1 clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in  
 2 controlling law.” *Sch. Dist. No. IJ, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1263  
 3 (9th Cir. 1993).

4 Plaintiff has not presented the Court with newly discovered evidence, identified a clear  
 5 error or manifest injustice in the Court’s dismissal order, or shown an intervening change in  
 6 controlling law. (*See generally* Dkt. No. 76.) Instead, Plaintiff realleges the same set of facts as  
 7 with his prior pleadings. (*See generally id.*) Accordingly, the Court DENIES Plaintiff’s motion to  
 8 amend judgment (Dkt. No. 76).

9 **B. Notice of Possible Vexatious Litigant Order**

10 Based upon the record in this matter, it appears Plaintiff is using the Court as a vehicle to  
 11 harass and antagonize certain parties, including the Court and its staff, rather than as a forum to  
 12 resolve a valid dispute. (*See, e.g.*, Dkt. Nos. 42, 76–83, 85) (various documents either describing  
 13 Plaintiff’s exceptionally litigious behavior or demonstrating his prolific motions practice).  
 14 Plaintiff also continues to violate the local rules, *despite* the Court’s previous order requiring  
 15 Plaintiff to comply with the local rules, (*see* Dkt. No. 45 at 1–2), and its numerous admonitions  
 16 following Plaintiff’s continued noncompliance, (*see* Dkt. Nos. 68 at 1, 74 at 11). Finally,  
 17 Plaintiff sent 28 e-mails to this Court’s inbox in the span of two days, following the Court’s entry  
 18 of judgment dismissing Plaintiff’s case with prejudice (Dkt. No. 75). At best, these e-mails  
 19 constitute *ex parte* communications with the Court attempting to allege facts that support  
 20 reconsideration of the Court’s judgment; at worst, the e-mails denigrate the Court and its staff  
 21 with a host of expletives.

22 Litigants may not engage in abusive behavior, either with the Court, its staff, or opposing  
 23 parties. As such, “[t]here is strong precedent establishing the inherent power of federal courts to  
 24 regulate the activities of abusive litigants by imposing carefully tailored restrictions under the  
 25 appropriate circumstances.” *De Long v. Hennessey*, 912 F.2d 1144, 1147 (9th Cir. 1990)  
 26 (quoting *Tripathi v. Beaman*, 878 F.2d 351, 352 (10th Cir. 1989)). Pursuant to 28 U.S.C. § 1651,

1 the Court may enjoin a vexatious litigant to restrict access to the Court. Before doing so, the  
2 litigant must be given notice and a chance to be heard. *De Long*, 912 F.2d at 1148. Accordingly,  
3 the Court notifies Plaintiff that any additional frivolous motions, *ex parte* contacts, or abusive or  
4 threatening filings or communications with the Court may result in an order imposing pre-filing  
5 conditions. Such an order would limit Plaintiff's ability to file frivolous motions and/or bring  
6 future claims against Defendant before this Court.

7 **II. CONCLUSION**

8 For the foregoing reasons, the Court DENIES Plaintiff's motion to amend judgment (Dkt.  
9 No. 76). Plaintiff's remaining motions (Dkt. Nos. 77–83, 85) are DENIED as moot.

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11 DATED this 29th day of October 2024.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE